



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Second day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13190 of 2015

1 THENAPPAN

2 RAMANATHAN

... PETITIONER(S) / ACCUSED 1 & 2

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
DEVAKOTTAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT ,
CRIME NO.332/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

For Intervenor : M/S.G.THIRUVARUTSELVAN Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

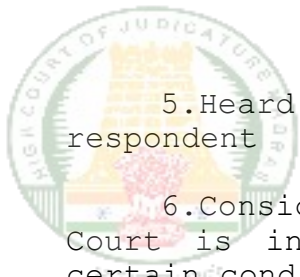
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 294(b), 418, 467 and 506(i) of IPC, in Crime No.332 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, her mother had executed a will in favour of Ramanatha Chettiar appointing him as a guardian for the de-facto complainant and her sister. However, without their knowledge and consent the accused have sold the property.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the property originally belonged to Somasundaram, who had three sons and four daughters one among them is the mother of the de-facto complainant and he died before the Hindu Succession Act 1956 and therefore, the mother of the de-facto complainant cannot claim any right over the property and husband of the de-facto complainant had purchased some of the properties from the petitioners in the year 1995 and suppressing all these facts, the present complaint has been given.

4.Mr.G.Thiruvvarutselvan, learned counsel for the intervenor vehemently opposed granting of bail to the petitioner stating that the petitioners they have cheated her.



5. Heard learned Government Advocate (Criminal side) appearing for the respondent

6. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Devakottai and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the 2nd petitioner shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required for interrogation and the 1st petitioner shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
22/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
DEVAKOTTAI TOWN POLICE STATION, SIVAGANGAI DISTRICT.

+1. CC to M/S. G. THIRUVARUTSELVAN, Advocate SR.No.41250.

+1cc to MR.S.MAHENDRAPATHY, Advocate Sr.No 40431

TS/28.07.2015/2P - 7C

ORDER
IN
CRL OP(MD) No.13190 of 2015
Date :22/07/2015